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PTO/SB/05 (01-04) Approved for use through 07/31/2006. OMB 0651-0032 U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

0403 Attorney Docket No. First Inventor Title

UTILITY PATENT APPLICATION **TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))	Express Mail Label No. ED 018180883 U.S
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
1. Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) Applicant claims small entity status. See 37 CFR 1.27. 3. Specification [Total Pages] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure Drawing(s) (35 U.S.C. 113) [Total Sheets] 5. Oath or Declaration [Total Sheets] Newly executed (original or copy) b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. Application Data Sheet. See 37 CFR 1.76	7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. Computer Readable Form (CRF) b. Specification Sequence Listing on: i. CD-ROM or CD-R (2 copies); or ii. Paper c. Statements verifying identity of above copies ACCOMPANYING APPLICATION PARTS 9. Assignment Papers (cover sheet & document(s)) 10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) 11. English Translation Document (if applicable) 12. Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. Certified Copy of Priority Document(s) (if foreign priority is claimed) Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. Other:
Prior application information: Examiner KIENT N6: For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the	tion-in-part (CIP) of prior application No.: 09/677.705 Art Unit: 37/2 a prior application, from which an oath or declaration is supplied under Box or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadver	DENCE ADDRESS
Customer Number:	OR Correspondence address below
	E, EQ.
Address 515 PACK DR,	
City BRADENTON	State FLORIDA Zip Code 34209-1847
	elephone 441-747-4313 Fax 941-748-400
Name (Print/Type) DOROTHY SIMORSE	Registration No. (Attorney/Agent) 38, 977
Signature Start Cus Mos	Pate 63-23-04

This collection of information is required by 37 CFR 1.58(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL		Complete if Known				
S LEE IKANON	MILIAL	Application Number				
Fifective 10/01/2003. Patent fees are subject to annual revision. Applicant claims small entity status. See 37 CFR 1.27		Filing Date	MARCH 23, 2004			
		First Named Inventor	PATRICK A. HARGABUS			
		Examiner Name				
		Art Unit				
TOTAL AMOUNT OF PAYMENT (S	385,00	Attorney Docket No.	0403- HARG			
		FEE 0.4	A OUL ATION (

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)				
Check Credit card Money Other None		3. ADDITIONAL FEES				
Order Order	Large E	ntity	Small	Entity		
Deposit Account:	Fee			Fee	Fee Description	Coo Boid
Deposit Account	1051	130	2051	(\$) 65	Surcharge - late filing fee or oath	Fee Paid
Number Deposit	1052	50	2052		Surcharge - late provisional filing fee or	
Account	1032	30	2002		cover sheet	
Name The Director is authorized to: (check all that apply)	1053	130	1053		Non-English specification	
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812 2	•	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee		1,840*	1805 ·	1,840*	Requesting publication of SIR after Examiner action	
to the above-identified deposit account.	1251	110	2251	55	Extension for reply within first month	
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month	
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	
Fee Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
Code (\$) Code (\$)	1255	2,010	2255	1.005	Extension for reply within fifth month	
1001 770 2001 (385) Utility filing fee 345	1401	330	2401	165	Notice of Appeal	
1002 340 2002 170 Design filing fee	1402	330	2402		Filing a brief in support of an appeal	
1003 530 2003 265 Plant filing fee	1403	290	2403		Request for oral hearing	
1004 770 2004 385 Reissue filing fee		1,510	1451		Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee	1451		2452		Petition to revive - unavoidable	
SUBTOTAL (1) (\$) 385		110		-		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,330	2453		Petition to revive - unintentional	
Fee from Extra Claims below Fee Paid	1501 1502	1,330 480	2501 2502		i Utility issue fee (or reissue) Design issue fee	
Total Claims 20 -20** =	1502	640	2502		Plant issue fee	
Independent 3 3 2 7	1460	130	1460		Petitions to the Commissioner	
Claims Multiple Dependent = 0	1807	50	1807		Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity	1806	180	1806		Submission of Information Disclosure Stmt	
Fee Fee Fee Code (\$)	8021	40	8021		Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	5 For each additional invention to be examined (37 CFR 1.129(b))	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	5 Request for Continued Examination (RCE)] .]
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802		1802		O Request for expedited examination of a design application	
	Other	fee (s	ecify) _			
30B101AL (2) (4)		uced by	Basic I	Filing F	Fee Paid SUBTOTAL (3) (\$)	0
**or number previously paid, if greater; For Reissues, see above					, , (+)	

SUBMITTED BY

Name (Print/Type)

DOROTHU-SI NORSE Registration No. (Attorney/Agent)

Signature

(Complete (if applicable))

TelephoneQY1-747-4313

Date

Date

D3-23-04

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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

		PATRICK A. HARGABUS				
THE DURAY APPARATUS + METHOD						
Attorney Docket Number						

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

03-23-04

Signature

941-951-2336

Telephone number

Tuned or printed name

Typed or printed harne

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

This cotlection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.